

### **REMARKS**

Upon further consideration of the Response filed April 22, 2008, the cited references, and the Office Action mailed August 18, 2008, the Applicants respectfully request entry of clarifying amendments.

Applicants expressly acknowledge the indication that claims 1-19 and 21-26 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. §112, second paragraph.

Applicants respectfully request entry of an amendment to the Abstract of the Disclosure which has been objected to because of use of the legal term “said” throughout the Abstract. The proffered amendment to the Abstract changes the word “said” to the word “the” as suggested. Accordingly, withdrawal of this objection is respectfully requested.

The claims have been objected to under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. The majority of the rejections are directed to the limitation “fluid” and subsequent references to the fluid in the claims. Applicants have amended the subject claims to recite “the fluid” where appropriate. Applicants have also amended claim 1 and claim 4 to address the rejection raised by the Examiner. Accordingly, all occurrences of indefiniteness have been removed, and withdrawal of this rejection is respectfully requested. In the event further clarifications are required, a telephone call to the undersigned attorney is requested.

Claims 1-4 and 16 have been amended to remove superfluous limitations not required for patentability. Dependent claims 5 and 6 have been amended to conform to the amendments to claim 4.

In claim 7, the reference to “said container” in clause f) of the claim has been amended to set forth that the hidden switch is carried by the apparatus. Entry of this amendment is requested to resolve a clarity issue inasmuch as the hidden switch is not carried by the container, but by the apparatus. Dependent claims 10-13 have been amended to depend from claim 7. Dependent claims 17 and 18 have been amended to reflect dependency from new claim 27.

New dependent claims 27, 28 and 29 have been added.

As a result of further searching, additional references are cited in a Supplemental Information Disclosure Statement which accompanies this Response.

In view of the foregoing amendments and remarks presented herein, the Applicants believe that they have properly set forth the invention and, accordingly, request that the Examiner reconsider and withdraw the objections and rejections provided in the previous Office Action. A formal Notice of Allowance of claims 1-19 and 21-29 is earnestly solicited. Should the Examiner care to discuss any of the foregoing in greater detail, the undersigned attorney would welcome a telephone call.

In the event that a fee required for the filing of this document is missing or insufficient, the undersigned Attorney hereby authorizes the Commissioner to charge payment of any fees associated with this communication or to credit any overpayment to Deposit Account No. 18-0987. If a withdrawal is required from Deposit Account No. 18-0987, the undersigned Attorney respectfully requests that the Commissioner of Patents and Trademarks cite Attorney Docket Number **GOJ.100.US** for billing purposes.

Respectfully submitted,



Andrew B. Morton, Reg. No. 37,400  
Renner, Kenner, Grieve, Bobak, Taylor & Weber  
First National Tower 4th Floor  
Akron, Ohio 44308-1456  
Telephone: (330) 376-1242  
Facsimile: (330) 376-9646  
Email: [morton@rennerkenner.com](mailto:morton@rennerkenner.com)

Attorney for the Applicants

Attorney Docket No: GOJ.100.US